

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORLANDO PEREIRA-RIVERA,

Defendant.

Crim. No. 05-446 (JAF)

O R D E R

Regarding Docket Document No. 77, the court rules as follows:

(I) Request for Order pursuant to Fed.R.Crim.P. 12(b)(3)(B) is **DENIED**.

(II) Request for Order pursuant to Fed.R.Crim.P. 7(d) is **DENIED**.

(III) Request for Order pursuant to Fed.R.Crim.P. 12(b)(3)(C) is **DENIED WITHOUT PREJUDICE**; motion not properly supported.

(IV) Request for Order pursuant to Fed. R. Crim. P. 12(b)(3)(C) is **DENIED WITHOUT PREJUDICE**; motion not properly supported.

(V) Request for Order for pre-trial evidentiary hearing is **DENIED**.

(VI) Request for Order preserving Defendant's rights to request audibility hearing, etc., is **DENIED WITHOUT PREJUDICE**. Audibility is always an open issue, as long as the same is treated properly and not generally, prematurely or without support.

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1 (VII) Request for leave to file additional Fed.R.Crim.P. 12(b)
2 motions is **GRANTED**.

3 (VIII) Request for leave to join motions of codefendants, etc.,
4 is **GRANTED**.

5 **IT IS SO ORDERED.**

6 San Juan, Puerto Rico, this 17th day of May, 2006.

7 S/José Antonio Fusté
8 JOSE ANTONIO FUSTE
9 Chief U. S. District Judge